

Bonnie Lowenthal, Vice Mayor, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Gerrie Schipske, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Robert E. Shannon, City Attorney

**PRESENTATIONS BY COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT,
IN RECOGNITION OF COMMUNITY MEMBERS AND ORGANIZATIONS
FOR THEIR SIGNIFICANT CONTRIBUTIONS TO THE SEVENTH DISTRICT**

**PROCLAMATION PRESENTED FOR
LITTER FREE LONG BEACH MONTH
NOVEMBER 2006**

**RECOGNITION OF PARKS, RECREATION AND MARINE
FOR RECEIPT OF NATIONAL GOLD MEDAL AWARD**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

CONTINUED HEARING:

1. 06-0642 Recommendation to receive supporting documentation into the record, conclude the public hearing, overrule the appeal by appellants Annie Greenfeld, Gavin McKiernan and Colleen McDonald, and sustain the decision of the City Planning Commission to approve a Conditional Use Permit to establish a church at 1925 Pacific Avenue, a Standards Variance for a reduced number of parking spaces and off-site parking without a deed restriction, and an Administrative Use Permit for off-site joint use parking at 1951 Pacific Avenue (Case No. 0508-23). (District 6)

Office or Department: PLANNING COMMISSION; PLANNING AND BUILDING

Suggested Action: Approve recommendation.

HEARING:

2. 06-1087 Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit, with or without conditions, or deny the Permit on the application of Crestmark Entertainment LLC, dba Rocks, 3445 Long Beach Boulevard, for a Permit for Entertainment With Dancing by Patrons at an existing bar/tavern/lounge. (District 8)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (3 - 23)

3. 06-1103 Recommendation to authorize City Attorney to submit Compromise and Release for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$25,000 in compliance with the Appeals Board Order for Christopher Parks.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

4. 06-1104 Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$10,175 for the claim of Bill Burney; and \$17,297.50 for the claim of Joel Cook, in compliance with the Appeals Board Orders.
Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
5. 06-1120 Recommendation to authorize City Manager to execute the Ninth Amendment to Contract No. 28728 with Legal Counsel M. Brian McMahon in the matter entitled Long Beach Oil Development Company vs. City of Long Beach, et al., Case No. CV 03-6655.
Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
6. 06-1121 Recommendation to authorize City Manager to execute an agreement with legal counsel Fulwider, Patton, LLP to perform legal services pertaining to the City of Long Beach and the Long Beach Water Department in all matters relating to the applications for various patents for a desalination process.
Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.
7. 06-1108 Recommendation to refer to City Attorney damage claims received between October 12, 2006 and October 19, 2006.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

8. 06-1088 Recommendation to authorize City Manager to execute all documents necessary for a lease between CityPlace Long Beach, LLC; CityPlace Long Beach TIC I, LLC; and CityPlace Long Beach TIC 2, LLC, all Delaware limited liability companies, as tenants in common (Landlord), and the City of Long Beach (Tenant) for office space at 540 Pine Avenue (Building J-115) to house certain veterans' organizations for a five-year term at the initial monthly base rent of \$6,358;

Authorize City Manager to execute all documents necessary for subleases between the City of Long Beach (Sublandlord) and the American Legion, Arthur L. Peterson Post No. 27 (Subtenant); Disabled American Veterans, Long Beach Chapter No. 17, Inc. (Subtenant); and the Fleet Reserve Association, P.P. BR 43/1990-93 (Subtenant) for approximately 3,179 square feet of office space at 540 Pine Avenue (Building J-115) for a five-year term; and

Increase appropriations in the Civic Center Fund (IS 380) and in the Department of Community Development (CD) by \$245,946. (District 1)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

9. 06-1089 Recommendation to authorize City Manager to execute all documents necessary for a Right of Entry Permit with the South Coast Air Quality Management District for the placement and monitoring of stationary air-monitoring equipment at the former Towing Yard located at 901 W. Anaheim Street. (District 1)

Office or Department: COMMUNITY DEVELOPMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

10. 06-1090 Recommendation to authorize City Manager to execute all documents necessary for a lease between the City of Long Beach and the Historical Society of Long Beach, California, a California nonprofit corporation, for the use and occupancy of City-owned property at 4258-4260 Atlantic Avenue for a twenty-year term. (District 8)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

11. 06-1091 Recommendation to authorize City Manager to execute all documents with The Los Angeles County Department of Public Social Services (DPSS) to provide onsite enrollment assistance services at the Long Beach Department of Health and Human Services; and to execute the annual renewals for as long as mutually agreed. (Citywide)
Office or Department: HEALTH AND HUMAN SERVICES

Suggested Action: Approve recommendation.
12. 06-1102 Recommendation to authorize City Manager to execute an agreement with Alliant Insurance Services, Inc., in the amount of \$310,000 to provide employee healthcare benefits program consulting and actuarial services for a period of one year; and authorize City Manager to execute amendments to extend the term for up to two separate, consecutive one-year periods. (Citywide)
Office or Department: HUMAN RESOURCES

Suggested Action: Approve recommendation.
13. 06-1092 Recommendation to authorize City Manager to execute an agreement with Air Products and Chemical, Inc., to install, lease, operate, and maintain a hydrogen fuel station at 2400 E. Spring Street. (District 5)
Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.
14. 06-1093 Recommendation to authorize City Manager to execute an agreement with THUMS Long Beach Company for the delivery of locally-produced natural gas. (Citywide)
Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

15. 06-1094 Recommendation to adopt resolution authorizing City Manager to submit a grant application through the State Department of Boating and Waterways, in an amount not to exceed \$400,000, for the replacement of Dock 8 in the Rainbow Marina; and to execute any documents necessary for the implementation and administration of the project at a total cost of approximately \$800,000. (District 2)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
16. 06-1096 Recommendation to authorize City Manager to execute a Tenth Amendment to Lease No. 22897 with Jan and Michael Todd, for a period of three months through December 31, 2006, for the sale of Halloween pumpkins and Christmas trees, using the portion of the former Pacific Electric right-of-way property located between Ximeno and Tremont Avenues. (District 3)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
17. 06-1097 Recommendation to receive and file the application of Hae Jin Moon, dba Minit Mart Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1012 Alamitos Avenue, with existing conditions. (District 6)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
18. 06-1098 Recommendation to receive and file the application of Sub Hut Incorporated, dba Sub Hut Inc., for a person-to-person transfer of an Alcoholic Beverage Control License, at 3599 Atlantic Avenue, with existing conditions. (District 7)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.

19. 06-1099 Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the University of California Berkeley Traffic Center administering the Sobriety Checkpoint Program funds for the California Office of Traffic Safety; and increase appropriations in the General Grants Fund (SR 120) and in the Police Department (PD) by \$41,010. (Citywide)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
20. 06-1100 Recommendation to authorize City Manager to execute all necessary documents to receive and expend grant funding from the State of California Governor's Office of Emergency Services Coverdell Forensic Sciences Improvement Program grant, and increase appropriations in the General Grants Fund (SR 120) and in the Police Department (PD) by \$12,625. (Citywide)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
21. 06-1101 Recommendation to adopt Plans and Specifications No. R-6714 for the removal and replacement of the Long Beach Terrace and Center Theater roofs; and authorize City Manager to award the contract to the Anning Johnson Company for \$462,670 and execute all necessary documents related to the contract. (District 2)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
22. 06-1107 Recommendation to receive and file minutes of:
Harbor Commission - October 9, 2006.
- Office or Department:** VARIOUS
- Suggested Action:** Approve recommendation.

23. 06-1122 Recommendation to approve Certificates of Recognition presented to Mentoring A Touch From Above (MATFA) at the 2nd Annual Recognition Dinner "Forgiving the Unforgivable" on October 27, 2006 at the Long Beach Petroleum Club: Chris Steinhauser, Superintendent of Long Beach Unified School District; Judy Seal, Executive Director of the Long Beach Foundation; and Mike Murray, Senior Communications Manager of Verizon.

Office or Department: LEGISLATIVE

Suggested Action: Approve recommendation.

UNFINISHED BUSINESS:

24. 06-1057 Recommendation to receive and file the application of Udom Phungphian, dba Khun Dom, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1990 Pacific Avenue, with existing conditions. (District 6)

Office or Department: POLICE

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

25. 06-0754 Recommendation that the City Council concur in the recommendation of the Personnel and Civil Service Committee: 1) to request the City Manager to prepare a comprehensive review of the City's recruitment and retention strategy including tuition reimbursement, health benefits for permanent part-time employees, unused sick time to purchase post-employment health insurance and the possibility of extending the mortgage assistance program, that's currently offered to police officers, to all City employees; and 2) to request from the Mayor's Office a complete update on the status of all committees, commissions and boards: the appointment process, vacancies, status of current appointees, terms limits and attendance records.

Office or Department: COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT, CHAIR; PERSONNEL AND CIVIL SERVICE COMMITTEE

Suggested Action: Approve recommendation.

26. 06-1117 Recommendation to authorize City Manager to sign amendments to contracts with the City's current health, dental and life insurers to extend coverage to dependent children of registered domestic partners on the same basis as any other eligible dependent child.

Office or Department: VICE MAYOR BONNIE LOWENTHAL,
COUNCILMEMBER, FIRST DISTRICT;
COUNCILMEMBER SUJA LOWENTHAL,
SECOND DISTRICT; COUNCILWOMAN
GERRIE SCHIPSKE, FIFTH DISTRICT

Suggested Action: Approve recommendation.

27. 06-1119 Recommendation to request that the City Council support the "pilot" designation of a tourist-oriented commercial district on East Anaheim Street from Peterson Avenue to Gardenia Avenue provided that the financial impacts (signage, etc.) are borne by the business owners, operators and interested parties within the area;

That the City Manager pursue discussions with Long Beach Transit about adding the area as a stop on their "Passport" service; and

That the City Manager direct Community Development to assign Mr. Chantara Nop to canvas the businesses in the designated area in order to educate owners about the tourist oriented area and the possibilities of establishing a Business Improvement District that could generate additional resources for public safety, code enforcement and trash pick up.

Office or Department: COUNCILWOMAN LAURA RICHARDSON,
SIXTH DISTRICT

Suggested Action: Approve recommendation.

28. 06-1095 Recommendation to receive and file the information provided regarding a parking fee exemption for certain classifications of Veterans. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

ORDINANCES:

29. 06-1105 Recommendation to declare ordinance to approve, confirm, and ratify Ordinance No. HD-1963 of the Board of Harbor Commissioners of the City of Long Beach, which authorizes the execution by the Executive Director of the Long Beach Harbor Department of an Exchange Agreement between and among the City of Long Beach, the City of Los Angeles, the Alameda Corridor Transportation Authority (ACTA), and Konoike-Pacific California, Inc. (K-Pac) read the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 1,2)
- Office or Department:** HARBOR
- Suggested Action:** Approve recommendation.
30. 06-1106 Recommendation to declare ordinance to approve, confirm, and ratify Ordinance No. HD-1969 of the Board of Harbor Commissioners of the City of Long Beach, which authorizes the execution by the Executive Director of the Long Beach Harbor Department of a Grant Deed between the City of Long Beach, the City of Los Angeles, and Valero Refining Company-California read the first time and laid over to the next regular meeting of the City Council for final reading. (Districts 1,2)
- Office or Department:** HARBOR
- Suggested Action:** Approve recommendation.
31. 06-0826 Recommendation to declare ordinance amending and restating the Downtown Planned Development District (PD-30) related to creation of a Downtown Loft District, read and adopted as read. (Districts 1,2)
- Office or Department:** PLANNING COMMISSION; PLANNING AND BUILDING
- Suggested Action:** Approve recommendation.
32. 06-1066 Recommendation to declare ordinance requiring ethics training for members of boards, commissions and committees, read and adopted as read. (Citywide)
- Office or Department:** CITY ATTORNEY
- Suggested Action:** Approve recommendation.

NEW BUSINESS:

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Thursday afternoon.

33.

34.

35.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

STANDING COMMITTEE REMINDERS:

Monday, October 23, 2006 – Elections Oversight Committee at 5:30 P.M., Council Chamber.

October 24, 2006 – Tidelands and Harbor Committee at 10:00 A.M., Council Chamber.

October 24, 2006 – Charter Amendment Committee at 3:00 P.M., Council Chamber.

Monday, November 6, 2006 – Charter Amendment Committee at 7:45 P.M., Veterans Park.

November 7, 2006 – Federal Legislation Committee at 10:30 A.M., Council Chamber.

November 14, 2006 – Economic Development and Finance Committee at 1:00 P.M., Council Chamber.

November 14, 2006 – Charter Amendment Committee at 4:00 P.M., Council Chamber.

November 21, 2006 – Housing Authority at 2:30 P.M., Council Chamber.

November 21, 2006 – Charter Amendment Committee at 4:00 P.M., Council Chamber.

HEARING REMINDER:

November 14, 2006 – Continued hearing on the proposed Amendments to the General Plan, to the Atlantic Avenue Planned Development District (PD-25), to the rezoning of portions of East Vernon Street and East Willow Street (Case No. 0412-06), and to the General Plan from Land Use Districts LUD No. 1 and No. 8A to LUD No. 7. (District 6)

NOTE:

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.

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